

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 16 and 17 are canceled without prejudice or disclaimer, claims 24-29 are withdrawn. Claim 18 is rewritten in independent form incorporating the limitations of claim 1 and claims 21-23 are amended to be dependent upon claim 18. Claims 1-15 and 18-31 are pending.

Applicants submit that: (1) the rejection of claims 1-4, 30 and 31 over Nagai '396 in view of Sarayama '633; (2) the rejection of claims 5-14, 16-20 in view of Nagai '396, Sarayama '663, Kidoguchi '771 and Tezen '340; (3) the rejection of claim 15 in view of Nagai '396, Sarayama '663, and D'Evelyn '434; and (4) the rejection of claims 21-23 in view of Nagai '396, Sarayama '663, and Takeya '407 - all rejections under 35 U.S.C. §103(a) - are moot in view of submission of the verified translation of the priority application, JP 2003-011569 herewith. The submission of the verified translation and the resulting perfection of the claimed priority date of January 20, 2003 removes Nagai et al., US Publication 2004/0016396 with an effective prior art date of July 17, 2003 as Prior Art. The references of Sarayama '633, Tezen '340, D'Evelyn '434 and Takeya '407 do not provide any additional teaching or suggestion of separating the group III nitride crystals in vicinities of the gaps, as required by claims 1, 12, 18 and 30. Applicants do not concede the correctness of the rejection.

Applicants, nonetheless, disagree with the rejection's description that ¶s [0140] and [0141] of Kidoguchi '771 teach that the gaps are formed through a heat treatment. In those paragraphs, there is only a description of forming a film layer by the MOVPE method, and there is no suggestion of forming gaps through heat treatment. None of the other references, moreover, teach or suggest that gaps are formed through a heat treatment carried out in an atmosphere of a mixture of ammonia and nitrogen, as required by claim 18.

Applicants request prompt allowance of the claims. If a telephone conference would be helpful in resolving any issues concerning this application, please contact the Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612)455.3804.



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Respectfully submitted,

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